

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

For Online Publication Only

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KERI MULLINS,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
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JOAN M. AZRACK, District Judge:

ORDER

21-CV-0609 (JMA)

**FILED
CLERK**

1:57 pm, May 13, 2021

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Before the Court is the *in forma pauperis* application filed by *pro se* plaintiff, Keri Mullins (“plaintiff”). For the reasons that follow, the application to proceed *in forma pauperis* is denied without prejudice and with leave to renew upon completion of the AO 239 Long Form *in forma pauperis* application (“Long Form”) attached to this Order. Alternatively, plaintiff may remit the \$402.00 filing fee.

Plaintiff’s application is incomplete and raises more questions than it answers. (*See* Docket Entry 2.) For example, plaintiff reports having regular monthly expenses and debts but does not include any amounts owed. (*Id.* ¶¶ 6, 8.) Additionally, although plaintiff does not report any regular monthly expenses for housing and telephone service, she includes a residential address and two telephone numbers in her complaint. (*See* Docket Entry 1 at 3.) Nor does plaintiff include any regular monthly expenses for items such as food, utilities, transportation, and the care of her daughter.¹

Given that the incomplete responses provided by plaintiff raise more questions than they answer, plaintiff’s application is denied without prejudice and with leave to renew upon

¹ Plaintiff included the full name of her minor daughter. In accordance with the E-Government Act, plaintiff is reminded to identify her daughter only by her initials in any future submissions.

completion of the long form application enclosed with this Order within twenty one (21) days from the date of this Order. Alternatively, plaintiff may remit the \$402.00 filing fee. Plaintiff is warned that a failure to timely comply with this Order may lead to the dismissal of the complaint without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). In addition, the Court holds plaintiff's application for the appointment of *pro bono* counsel (Docket Entry 3) in abeyance pending resolution of her qualification to proceed *in forma pauperis*.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

Dated: May 13, 2021
Central Islip, New York

/s/ (JMA) _____
Joan M. Azrack
United States District Judge